

## **REMARKS**

### **Objection to Abstract**

The Examiner has objected to the abstract of the disclosure because the term “is disclosed” is stated in line 1. Applicant has amended the abstract accordingly.

### **Double Patenting**

The Examiner has rejected claims 1-8 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 6, 3, 4, 7-9, and 5 respectively of U.S. Patent No. 6,662,884. The Examiner has stated that although the conflicting claims are not identical, they are not patentably distinct from each other. Applicant has attached hereto a terminal disclaimer respecting U.S. Patent No. 6,662,884, of which the present application is a continuation application. Both this patent and this continuation application are entirely owned by the same corporation, Halliburton Energy Services, Inc. Assignment to Halliburton Energy Services, Inc. by the sole inventor has been recorded at Reel 013562 and frame 0416.

### **Rejections Under 35 USC § 102**

The Examiner has rejected claims 8-11 under 35 U.S.C. 102(b) as being anticipated by Ward et al. and Charlez et al. According to the Examiner, each of these references “discloses a method that includes a method for removing built-up drill cuttings from a borehole, said method comprising employing a sweep wherein said sweep is selected as the more efficient sweep from a group of sweeps tested in real time at the wellsite using pressure-while-drilling data and calculations of sweep efficiency.” More specifically, the Examiner explained:

With respect to claims 9 and 10, the references teach calculations of sweep efficiency with ECD, and the more efficient sweep is the one that results in the greater recovery of drill cuttings. With respect to claim 11, each reference teaches a real time method for measuring efficiency of a sweep in removing cuttings from a borehole penetrating a subterranean formation, said method comprising determining the mass in of the sweep; using real time pressure-while-drilling tool data in determining the mass out of the sweep, and subtracting at the borehole site the mass in of the sweep from the mass out of the sweep. See the documents in their entirety, including graphs, charts and tables.

The Examiner has rejected claims 8, 10, and 11 under 35 U.S.C. 102(b) as being anticipated by Brannon et al. or Hughes et al., citing particularly the Tables 1-4 (presumably in Hughes et al.). The Examiner has explained further:

Each reference discloses a method that includes a method for removing built-up drill cuttings from a borehole, said method comprising employing a sweep wherein said sweep is selected as the more efficient sweep from a group of sweeps tested in real time at the wellsite using pressure-while-drilling data and calculations of sweep efficiency. With respect to claim 10, the references teach the more efficient sweep is the one that results in the greater recovery of drilling cuttings. With respect to claim 11, each reference teaches a real time method for measuring efficiency of a sweep in removing cuttings from a borehole penetrating a subterranean formation, said method comprising: determining the mass in of the sweep; using real time pressure-while-drilling tool data in determining the mass out of the sweep; and subtracting at the borehole site the mass in of the sweep from the mass out of the sweep. See the documents in their entirety, including graphs, charts and tables.

The Examiner has rejected claim 11 under 35 U.S.C. 102(e) as being anticipated by Allouche et al. Specifically, the Examiner has stated that:

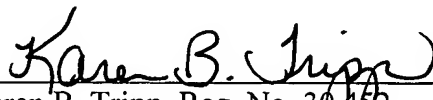
Allouche et al. discloses a method that includes a real time method for measuring efficiency of a sweep in removing cuttings from a borehole penetrating a subterranean formation, said method comprising: determining the mass in of the sweep; using real time pressure-while-drilling tool data in determining the mass out of the sweep; and subtracting at the borehole site the mass in of the sweep from the mass out of the sweep.

Applicant has canceled claims 8-11, rendering these rejections moot, to expedite issuance of the remaining claims.

Applicant respectfully submits that the claims as amended are now in condition for allowance and Applicant respectfully requests the Examiner to allow the application to proceed to issue.

Respectfully submitted,

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